



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

YANG *et al.*

Serial No. 10/001,407

Filed: October 22, 2001

For: COMPOSITIONS AND METHODS)
FOR DETECTING HUMAN)
IMMUNODEFICIENCY VIRUS 2)
(HIV-2))

) Group Art Unit: To Be Assigned

) Examiner: To Be Assigned

) Atty. Docket No. GP117-03.UT

TECH CENTER 1600/2300

FEB 14 2002

RECEIVED

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b) & (c)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of each cited reference is enclosed.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits.

If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified date of mailing indicated below, then Applicants request that this Information Disclosure Statement be treated as a submission under 37 C.F.R. § 1.97(c) and that the fee due under 37 C.F.R. § 1.17(p) be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

Certificate of Mailing

I hereby certify that this correspondence (along with any referred to as enclosed) is being deposited with the U.S. Postal Service on the date indicated below as first class mail with sufficient postage addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date: January 23, 2002

By: 

Michael J. Gilly, Reg. No. 42,579

IDS

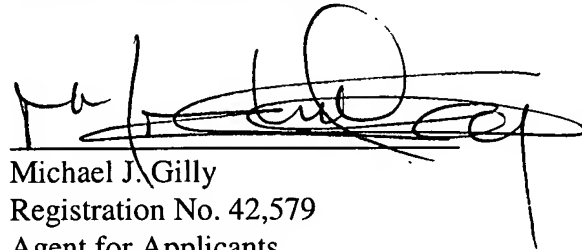
Application Serial No. 10/001,407
Atty. Docket No. GP117-03.UT

Applicants respectfully request that the Examiner indicate consideration of each cited reference by returning a copy of the enclosed form PTO/SB/08 with the Examiner's initials or other appropriate marks.

Respectfully Submitted,

Date: January 23, 2002

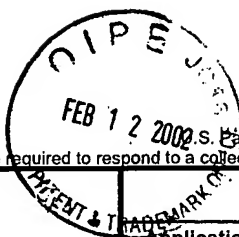
By:



Michael J. Gilly
Registration No. 42,579
Agent for Applicants

GEN-PROBE INCORPORATED
Patent Department
10210 Genetic Center Drive
San Diego, California 92121
PH: 858-410-8657
FAX: 858-410-8928

Please type a plus sign (+) inside this box



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO			Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	10/001,407
			Filing Date	October 22, 2001
			First Named Inventor	YANG et al.
			Group Art Unit	To Be Assigned
			Examiner Name	To Be Assigned
Sheet 1 of 4			Attorney Docket Number	GP117-03.UT

U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		4868105	A	Urdea et al.	09-19-1989	
		4965188	A	Mullis et al.	11-23-1990	
		5008182	A	Sninsky et al.	04-16-1991	
		5066782	A	Montagnier et al.	11-19-1991	
		5124246	A	Urdea et al.	06-23-1992	
		5130238	A	Malek et al.	07-14-1992	
		5176995	A	Sninsky et al.	01-05-1993	
		5223423	A	Franchini et al.	06-29-1993	
		5283174	A	Arnold, Jr. et al.	02-01-1994	
		5310651	A	Alizon et al.	05-10-1994	
		5399491	A	Kacian et al.	03-21-1995	
		5437990	A	Burg et al.	08-01-1995	
		5455166	A	Walker	10-03-1995	
		5470572	A	Kraiselburd	11-28-1995	
		5472840	A	Stefano	12-05-1995	
		5545726	A	Alizon et al.	08-13-1996	
		5554516	A	Kacian et al.	09-10-1996	
		5591578	A	Meade et al.	01-07-1997	
		5639604	A	Arnold, Jr. et al.	06-17-1997	
		5656207	A	Woodhead et al.	08-12-1997	

FOREIGN PATENT DOCUMENTS								
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		EP	0239425	A1	Institut Pasteur	09-30-1997		*
		EP	0403333	B1	Institut Pasteur et al.	12-19-1990		**
		EP	0404625	B1	Institut Pasteur et al.	12-27-1990		**
		EP	0525882	A1	Akzo N.V.	02-03-1993		
		EP	0655501	A1	Qlagen GmbH et al.	05-31-1995		
		EP	0750041	A2	Institut Pasteur	12-27-1996		*
		EP	0806484	A2	Institut Pasteur et al.	11-12-1997		*
		EP	0887427	A2	Ortho-Clinical Diagnostics, Inc.	12-30-1998		
		EP	1026263	A2	Ortho-Clinical Diagnostics, Inc.	08-09-2000		
		WO	8801302	A1	Siska Diagnostics, Inc.	02-25-1988		

* An English language abstract is included. ** An English language abstract and English language claims are included.


Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEB 14 2002
TECH CENTER 1600/2900



+

Substitute for form 1449A/PTO

Compleat if Known

(use as many sheets as necessary)

Sheet

3

of

4

Application Number

10/001,407

Filing Date

October 22, 2001

First Named Inventor

YANG et al.

Group Art Unit

To Be Assigned

Attorney Docket Number

GP117-03.UT

TECH CENTER 1 800 290

FEB 14 2002[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

+

